

July 19, 2013

REGULAR MEETING AGENDA
ILLINOIS CIVIL SERVICE COMMISSION
July 19, 2013

I. CALL TO ORDER THE REGULAR OPEN MEETING AT 10:30 A.M. AT 160 NORTH LASALLE STREET, SUITE S-901, CHICAGO, ILLINOIS

II. PRESENT

III. APPROVAL OF MINUTES OF REGULAR OPEN MEETING HELD JUNE 21, 2013

WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD ON JUNE 21, 2013?

IV. PUBLIC COMMENT IN ACCORDANCE WITH THE OPEN MEETINGS ACT

MEMBERS OF THE PUBLIC ARE OFFERED AN OPPORTUNITY TO ADDRESS MEMBERS OF THE COMMISSION IN ACCORDANCE WITH THE OPEN MEETINGS ACT AND RULES OF THE CIVIL SERVICE COMMISSION.

V. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE

A. Report on Exempt Positions from Central Management Services

<u>Agency</u>	<u>Total Employees</u>	<u>Number of Exempt Positions</u>
Aging.....	141.....	16
Agriculture	331.....	16
Arts Council	17.....	2
Capitol Development Board.....	46.....	0
Central Management Services.....	1,475.....	114
Children and Family Services	2,713.....	51
Civil Service Commission.....	4.....	0
Commerce & Economic Opportunity.....	370.....	69
Commerce Commission	75.....	0
Corrections.....	11,129.....	103
Criminal Justice Authority	56.....	5
Deaf and Hard of Hearing Comm.....	6.....	1
Developmental Disabilities Council.....	8.....	1
Emergency Management Agency.....	85.....	5
Employment Security.....	1,469.....	31
Environmental Protection Agency.....	805.....	16
Financial & Professional Regulation.....	429.....	43
Gaming Board.....	143.....	6
Guardianship and Advocacy	101.....	7
Healthcare and Family Services	2,120.....	25
Historic Preservation Agency.....	158.....	14
Human Rights Commission.....	13.....	2
Human Rights Department.....	140.....	9
Human Services	11,341.....	75
Illinois Sentencing Policy Advisory Council.....	2.....	2
Illinois Torture Inquiry Relief Commission	2.....	1
Insurance	227.....	15
Investment Board	2.....	2
Juvenile Justice.....	982.....	21
Labor.....	85.....	11
Labor Relations Board Educational.....	9.....	2
Labor Relations Board State.....	17.....	2
Law Enforcement Training & Standards Bd.	16.....	2
Lottery.....	142.....	7
Military Affairs	121.....	3
Natural Resources	1,084.....	30
Pollution Control Board	20.....	2
Prisoner Review Board.....	16.....	0
Property Tax Appeal Board.....	29.....	1
Public Health.....	1,075.....	40
Racing Board.....	3.....	1
Revenue.....	1,748.....	51
State Fire Marshal	133.....	12
State Police.....	1,097.....	7
State Police Merit Board	5.....	1
State Retirement Systems.....	103.....	2
Transportation	2,229.....	0
Veterans' Affairs.....	1,302.....	9
Workers' Compensation Commission.....	130.....	8
TOTALS	43,754.....	843

B. Governing Rule – Section 1.142 Jurisdiction B Exemptions

- a) The Civil Service Commission shall exercise its judgment when determining whether a position qualifies for exemption from Jurisdiction B under Section 4d(3) of the Personnel Code. The Commission will consider any or all of the following factors inherent in the position and any other factors deemed relevant to the request for exemption:
 - 1) The amount and scope of principal policy making authority;
 - 2) The amount and scope of principal policy administering authority;
 - 3) The amount of independent authority to represent the agency, board or commission to individuals, legislators, organizations or other agencies relative to programmatic responsibilities;
 - 4) The capability to bind the agency, board or commission to a course of action;
 - 5) The nature of the program for which the position has principal policy responsibility;
 - 6) The placement of the position on the organizational chart of the agency, board or commission;
 - 7) The mission, size and geographical scope of the organizational entity or program within the agency, board or commission to which the position is allocated or detailed.
- b) The Commission may, upon its own action after 30 days notice to the Director of Central Management Services or upon the recommendation of the Director of the Department of Central Management Services, rescind the exemption of any position that no longer meets the requirements for exemption set forth in subsection (a). However, rescission of an exemption shall be approved after the Commission has determined that an adequate level of managerial control exists in exempt status that will insure responsive and accountable administrative control of the programs of the agency, board or commission.
- c) For all positions currently exempt by action of the Commission, the Director of Central Management Services shall inform the Commission promptly in writing of all changes in essential functions, reporting structure, working title, work location, position title, position number or specialized knowledge, skills, abilities, licensure or certification.
- d) Prior to granting an exemption from Jurisdiction B under Section 4d(3) of the Personnel Code, the Commission will notify the incumbent of the position, if any, of its proposed action. The incumbent may appear at the Commission meeting at which action is to be taken and present objections to the exemption request.

(Source: Amended at 34 Ill. Reg. 3485, effective March 3, 2010)

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C1. Illinois Department of Corrections – Proposed Exemption

Position Number	40070-29-09-010-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Intelligence/Internal Investigations
Functional Title	Deputy Chief of Intelligence/Investigations
Incumbent	Vacant
Supervisor	Chief of Intelligence/Investigations who reports to the Chief Legal Counsel, who reports to the Director
Location	Sangamon County

C2. Illinois Department of Corrections – Proposed Exemption

Position Number	40070-29-83-400-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Southern Reception/Classification and Medium Security
Functional Title	Assistant Warden-Southern Region Reception/Classification Center
Incumbent	Vacant
Supervisor	Warden who reports to the Director
Location	Randolph County

CMS Recommendation: “These positions do meet the reporting criteria of the Commission Rules and considering the similarities of these requested positions with those of other 4d(3) exempt positions, I recommend 4d(3) exemptions.”

D. Illinois Department of Human Services – Proposed Exemption

Position Number	40070-10-90-010-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Family and Community Services
Functional Title	Assistant Director-Division of Family and Community Services
Incumbent	Vacant
Supervisor	Director-Division of Family and Community Services, who reports to the Assistant Secretary who reports to the Secretary
Location	Cook County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

E. Illinois Department of Human Services – Proposed Exemption

Position Number	40070-10-97-555-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Family and Community Services
Functional Title	Associate Director-Family and Community Services
Incumbent	Vacant
Supervisor	Assistant Director-Family and Community Services, who reports to the Director of Family and Community Services, who reports to the Assistant Secretary, who in turn reports to the Secretary
Location	Cook County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

F. Illinois Department of Insurance – Proposed Exemption

Position Number	40070-14-04-000-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Director’s Office
Functional Title	Deputy Director-Consumer Education and Protection Program
Incumbent	Vacant
Supervisor	Director
Location	Cook County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

G. Illinois Department of Revenue – Proposed Exemption

Position Number	40070-25-00-100-30-01
Position Title	Senior Public Service Administrator
Bureau/Division	Director’s Office
Functional Title	Policy Advisor
Incumbent	Vacant
Supervisor	Director
Location	Sangamon County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

H1. Illinois Workers' Compensation Commission – Proposed Exemption

Position Number	40070-50-37-200-00-01 ^A
Position Title	Senior Public Service Administrator
Bureau/Division	Administrative Support
Functional Title	Manager of Administrative Support Program
Incumbent	Vacant
Supervisor	Chairman
Location	Cook County

H2. Illinois Workers' Compensation Commission – Proposed Exemption

Position Number	40070-50-37-051-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Business Systems
Functional Title	Manager of Business Systems
Incumbent	Vacant
Supervisor	Chairman
Location	Cook County

CMS Recommendation: “These positions do meet the reporting criteria of the Commission Rules and considering the similarities of these requested positions with those of other 4d(3) exempt positions, I recommend 4d(3) exemptions.”

WILL THE COMMISSION GRANT THE REQUEST FOR EXEMPTION FROM JURISDICTION B OF THE PERSONNEL CODE FOR THE FOLLOWING POSITIONS?

- C1: Deputy Chief of Intelligence/Investigations (DOC)**
- C2: Assistant Warden-Southern Reception Center/Classification Center (DOC)**
- D: Assistant Director-Family and Community Services (DHS)**
- E: Associate Director-Family and Community Services (DHS)**
- F: Deputy Director-Consumer Education and Protection Program (DOI)**
- G: Policy Advisor (DOR)**
- H1: Manager of Administrative Support Program (WCC)**
- H2: Manager of Business Systems (WCC)**

^A The exemption of this position was rescinded November 20, 2009.

VI. CLASS SPECIFICATIONS

The following class titles were submitted for creation by the Director of the Illinois Department of Central Management Services:

A. Food Services Program Manager

CMS Classification Analysis: “Pursuant to terms of the master contract with the Illinois State Employees Association (ISEA), The Department of Central Management Services (CMS) has agreed to develop successor classes to Public Service Administrator (PSA) positions which have been certified into the VR-704 bargaining unit. This proposal deals with the specific positions designated with the title option ‘8J’ and the working title ‘Dietary Manager’ which are employed in the Department of Juvenile Justice and the Department of Corrections. The positions within the PSA 8J require either a special certification as a Registered Dietician through the American Dietetic Association or a Department of Public Health Food Service Sanitation Certification. The successor class Food Services Program Manager will retain these special requirements and also inherit the Desirable Requirements of the PSA which are four years of college education or its equivalency and three years of progressively responsible administrative experience. Food Services Program Manager positions report to Senior Public Service Administrators (SPSA) that are either the Assistant Warden or Assistant Superintendent of Operations at an adult correctional facility or a juvenile justice center. The Food Services Program Manager manages the food services operations of the assigned facility. Responsibilities include the procurement and requisitioning of food, equipment, and supplies, planning of the menu, inspections to enforce safety, sanitation, and security standards, implementation of policies and procedures and evaluation of operations for quality control, budgeting and cost control methods. CMS submits the attached class specification to the review of the Civil Service Commission for approval and establishment as the new class for those positions described herein.”

B. Special Operations Command Law Enforcement Training Supervisor

CMS Classification Analysis: “Pursuant to terms of the master contract with the Illinois State Employees Association (ISEA), The Department of Central Management Services (CMS) has agreed to develop successor classes to Public Service Administrator (PSA) positions which have been certified into the VR-704 bargaining unit. CMS accordingly submits the attached class specification to the review of the Civil Service Commission for approval and establishment as the new class for the position described below.

This proposal deals with a distinct class of Public Service Administrator (PSA) designated with the title option ‘7’ and the working title ‘Firearms Specialist’, which is employed at Illinois State Police. PSA Option 7 positions are employed in law enforcement, corrections, public safety, inspection and compliance settings. The successor class ‘Special Operations Command Law Enforcement Training Supervisor’ will inherit the Desirable Requirements of the PSA which are four years of college education or its equivalency and three years of progressively responsible administrative experience. Additional specialized requirements carried over from the PSA Option 7

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‘Firearms Specialist’ position are two years of experience as the facilitator or instructor of a tactical training curriculum. This position plans, implements, and evaluates the policies and procedures of a comprehensive training and tactical resources program for the Illinois State Police. The Special Operations Command Law Enforcement Training Supervisor position executes, controls, and evaluates tactical and firearms training resources and services for Illinois State Police employees and for employees from other local, state, and federal agencies who participate in Illinois State Police training activities.”

WILL THE COMMISSION APPROVE THE CREATION OF THE FOLLOWING CLASS TITLES TO BE EFFECTIVE ON AUGUST 1, 2013?

A. Food Services Program Manager

B. Special Operations Command Law Enforcement Training Supervisor

WILL THE COMMISSION DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION STAFF NOT CONTAINED IN THIS REPORT TO ALLOW ADEQUATE STUDY?

VII. MOTION TO CLOSE A PORTION OF THE MEETING

PURSUANT TO SUBSECTIONS 2(c)(1), 2(c)(4), AND 2(c)(11) OF THE OPEN MEETINGS ACT, WILL THE COMMISSION CLOSE A PORTION OF THE MEETING TO CONSIDER APPEALS FILED WITH THE COMMISSION, LITIGATION AND/OR SPECIFIED EMPLOYMENT MATTERS?

VIII. RECONVENE THE REGULAR OPEN MEETING

IX. NON-MERIT APPOINTMENT REPORT

The Personnel Code permits non-merit appointments for a limited period of time, i.e., emergency appointments shall not exceed 60 days and shall not be renewed, and positions shall not be filled on a temporary or provisional basis for more than six months out of any twelve-month period. Consecutive non-merit appointments are not violative of the Code; however, they do present a possible evasion of merit principles and should be monitored. Set forth below is the number of consecutive non-merit appointments made by each department. These statistics are from the Department of Central Management Services' Consecutive Non-Merit Appointment Reports.

Agency	5/31/13	6/30/13	6/30/12
Aging	1	1	1
Agriculture	1	2	0
Arts Council	1	1	1
Central Management Services	2	2	0
Children and Family Services	11	10	8
Employment Security	0	0	1
Healthcare and Family Services	22	21	3
Human Rights	0	0	1
Human Services	1	1	2
Insurance	1	1	0
Natural Resources	0	0	1
Property Tax Appeal Board	3	3	0
Public Health	1	2	0
Revenue	5	5	0
State Police Merit Board	1	1	0
Veterans' Affairs	4	4	0
Totals	54	54	18

X. INTERLOCUTORY APPEALS

DA-39-13

Employee	Amanda D. Wilson	Appeal Date	4/09/13
Agency	Public Health	Decision Date	6/20/13
Type	Discharge	ALJ	Andrew Barris
Issue(s)	Motion to Dismiss for agency's violation of Section 302.705 of the Personnel Rules	Proposal for Decision	Grant the Motion to Dismiss subject to the approval of the Commission; Wilson to be reinstated to her position.

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

S-45-13

Employee	Timothy Ware	Appeal Date	05/31/13
Agency	Corrections	Decision Date	07/05/13
Type	Suspension	ALJ	Andrew Barris
Issue(s)	Motion to Dismiss for no jurisdiction; suspension pending discharge	Proposal for Decision	Grant the Motion to Dismiss subject to approval of the Commission.

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

XI. PUBLICLY ANNOUNCED DECISION RESULTING FROM APPEAL

DA-24-13

Employee	Adewale Langston	Appeal Date	12/31/12
Agency	Corrections	Decision Date	07/05/13
Appeal Type	Discharge	Proposal for Decision	30-day suspension plus duration of suspension pending discharge.
ALJ	Daniel Stralka		

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

XII. APPEAL TERMINATED WITHOUT DECISION ON THE MERITS

RV-36-13

Employee	Lawrence Beckom	Appeal Date	03/22/13
Agency	Transportation	Decision Date	06/21/13
Appeal Type	Rule Violation	Proposal for Decision	Dismissed subject to approval of the Commission; appeal is moot.
ALJ	Andrew Barris		

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

XIII. STAFF REPORT

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XIV. ANNOUNCEMENT OF NEXT REGULAR OPEN MEETING

The next regular open meeting is to be held on Friday, August 16, 2013 at 10:30 a.m. in the Commission's Chicago office.

XV. MOTION TO ADJOURN